

SCOTT ERIK ASPHAUG, OSB #833674  
Acting United States Attorney  
District of Oregon  
**THOMAS S. RATCLIFFE, ILSB #6243708**  
Assistant United States Attorney  
[Thomas.Ratcliffe@usdoj.gov](mailto:Thomas.Ratcliffe@usdoj.gov)  
1000 SW Third Avenue, Suite 600  
Portland, OR 97204-2902  
Telephone: (503) 727-1000  
Attorneys for United States of America

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

**3:20-cr-00464-SI**

**v.**

**MOTION TO DISMISS WITH  
PREJUDICE**

**PHILLIP JOHN WENZEL,**

**Defendant.**

The government moves the Court for an Order under Fed. R. Crim. P. Rule 48(a) to dismiss with prejudice the indictment against Defendant, in the best interests of justice.

Defendant has successfully complied with the terms of the Deferred Resolution Agreement, including performing at least 30 hours of community service.

Dated: September 28, 2021

Respectfully submitted,

SCOTT ERIK ASPHAUG  
Acting United States Attorney

/s/ Thomas S. Ratcliffe

THOMAS S. RATCLIFFE, ILSB #6243708  
Assistant United States Attorney

**Motion to Dismiss with Prejudice**

**Page 1**  
Revised February 2021